

London. Ordinances, etc.

T H E

c†

STATUTE-LAWS

PERUSED and REVIVED:

O R, A

REMEDY

A G A I N S T

PEDLERS, HAWKERS,

A N D

Petty Chapmen, &c.

Fit to be KNOWN by All

CONSTABLES *and Other* PARISH-OFFICERS,

ALSO BY THE

MINISTERS *in the Countrey, and all Other Persons whatsoever.*

L I C E N C E D, *July 22. 1693*

L O N D O N:

Printed and are to be sold by Brab. Aylmer at the Three Pidgeons in Cornhill, over against the Exchange; William Miller at the Achorn in St. Paul's Church-Yard; Daniel Browne at the Bible and black Swan without Temple-Bar; and by several other Bookfellers. 1693.

Price Six Pence.

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THE

STATUTE-LAWS

REVISED and REVIVED:

O. R. A.

REMEDY

AGAINST

PEDLERS, HAWKERS,

AND

Petty Chapmen, &c.

Fit to be KNOWN by All

CONSTABLES and Other PARISH-OFFICERS,

ALSO BY THE

MINISTERS in the Country, and all Other Persons whatsoever.

LICENCED, July 23. 1693

LONDON:

Printed and are to be sold by Robt. Aylmer at the Three Bishops in Cornhill; over
against the Exchange; William Miller at the Anchor in St. Pauls Church-Yard;
and by several other Booksellers in London; and by several other
Booksellers in 1693.

Price Six Pence.

Fleet



Mayor.

A BILL for Prevention of Pedlers, Petty Chapmen, and other Unlawful Traders, Wandring about within the **CITY of LONDON** and the Liberties thereof.

As the same was Settled and Approved by Advice of divers Learned Council, and accordingly Reported by the Committee the second Time, the 20th Day of June, 1693.

WHEREAS by the Laws and Statutes of this Realm, amongst other Things it is Enacted, Ordained, and Declar'd, That all Pedlers and Petty Chapmen, Wandring Abroad, shall be Taken, Adjudged, and Deem'd Rogues and Sturdy Beggars, and shall be Taken and Apprehended, and be Stripped Naked from the Middle upwards, and be openly Whipped, until his or her Body be Bloody, and shall be further Dealt with, as in and by the said Laws and Statutes is Directed and Appointed. *And Whereas,* Also great Numbers of Vagrant and Idle Persons, both Men and Women, either Unsettled, and having no Habitation, or Wandring and Roving from the Places of their Abode and Habitations, do daily Resort to this City and the Liberties thereof, as Pedlers and Petty Chapmen, Wandring up and down, Selling or offering to Sale divers sorts and kinds of small Wares, and other Goods and Merchandizes, Contrary to, and in Contempt of the said Good and Wholsome Laws and Statutes, and also contrary to the Welfare and Good Government of this City, and to the Manifest Loss, Dammage and Detriment of the Honest and Industrious Shop-keepers, Tradesmen, and Inhabitants thereof; For Prevention whereof for the Time to come, and for the better and more effectual Repressing the Mischiefs aforesaid, Be it Enacted and Ordained; and it is hereby Enacted and Ordained by the Right Honourable the Lord Mayor, the Right Worshipful the Aldermen his Brethren, and the Commons in Common-Council Assembled, That the said Statutes shall from henceforth be strictly and duly put in Execution against all such Offenders within this City and the Liberties thereof: And

to that End and Purpose, That all Constables and other Inferiour Officers within this City and the Liberties thereof, shall Seize, Take, and Apprehend all such Vagrant and Wandring Persons, going and Wandring About within this City and the Liberties thereof; or any of the Streets, Lanes, Allies, Passages, or Places within the same, Selling, or exposing to Sale any manner of Wares or Commodities whatsoever; and Inflict the Punishments by the said Statutes appointed on such Offenders, and deal with, or cause such Offenders to be strictly and severely dealt with as by the said Statutes are directed and appointed. And that in case any Constable or other Inferiour Officer shall willfully neglect or refuse to do and perform his Duty therein, that then, and in such Case, the Penalty of 20 s. for every such Offence, shall be Levied upon him for Offending, as by the said Laws and Statutes is directed and appointed. And further, That the Sum of 5 l. shall be Required and Levied, and Received of and upon every Person and Persons who shall lett or hinder the due Execution of the said Laws and Statutes, as by the said Laws and Statutes is also Enacted and Ordained.

And Whereas, also by the ancient and laudable Customs of this City, no Wares, Goods, or Merchandizes whatsoever, ought to be Bought or Sold, or exposed to Sale within this City or the Liberties thereof (save only in Publick Markets or in open Shops or Ware-houses, kept and used for that Purpose, and Fairs) during the time of such Markets and Fairs only: Yet, nevertheless, divers and sundry Lew'd, and Idle, and Disorderly Persons Lodging or Living within the said City and the Liberties thereof, or near Neighbourhoods or Places thereunto adjoyning, do frequently Sell, or expose to Sale divers Goods, Wares, and Merchandizes, as *Hawkers* and *Petty Chapmen*; Going and Wandring in the Streets, Lanes, Allies, and other Places thereof, from House to House, and from Door to Door, contrary to the said good, laudible, and profitable Customs of this City; by Reason whereof, the Citizens, Shopkeepers, and Inhabitants of the said City, are not only greatly Hindered and Prejudiced in their Trades and Occupations, but also many of Their Majesties good Subjects Inhabiting and Residing within the said City and the Liberties thereof; and others Resorting thereunto, are frequently Cheated, and Defrauded, and Abused in buying bad and deceitful Wares and Commodities of them; For Prevention whereof for the Time to come, and for the better and more effectual putting in Execution the said antient and laudible Customs of this City, against such Offenders as aforesaid: Be it further Enacted and Ordained, and it is hereby Enacted and Ordained

dained by the said Lord Mayor, and the said Aldermen his Brethren, and the said Commons in Common-Council Assembled, That from and after the First Day of *August* now next ensuing, no Person or Persons whatsoever shall Sell, or expose to Sale any Goods, Wares, or Merchandizes in any Street, Lane, Publick Passage, Tavern, Inn, Ale-House, Coffee-House, or other Publick Place within this City or the Liberties thereof, unless it be in open Markets Appointed, Used, and Accustomed for the Vending thereof, or in Common and Publick Fairs, during the time of such Markets and Fairs, upon pain to Pay and Forfeit the Sum of Forty Shillings for every Offence, by him, her, or them committed, contrary herunto. And that no Person or Persons within this City or the Liberties thereof, shall buy any such Wares, Goods, or Commodities so Exposed by such Person or Persons to Sale, contrary to the true intent and meaning hereof, upon pain to Pay and Forfeit for every Offence by him, her, or them committed, contrary herunto, the like Sum of Forty Shillings. And for the better Prevention of the said Mischiefs for the future, it is hereby further Enacted and Ordained, That no Keeper, or Keepers of any Tavern, Inn, Ale-House, Coffee-House, or other Publick or Private House whatsoever, within this City or the Liberties thereof, shall permit or suffer any such *Hawker*, or *Wandering Pedler*, or *Petty Chapmen*, in his, her, or their House, or Houses, Shop, or Shops, or other Place or Places belonging to him, her, or them, to Sell, or expose to Sale, any small Wares or other Goods or Merchandizes, contrary to the true intent and meaning of this present Law. And that in Case any such keeper of any Tavern, Inn, Ale-House, Coffee-House, or other publick or private House within this City, or the Liberties thereof, shall Offend therein, that then and in every such Case, every such Person and Persons so Offending, shall for every such Offence Lose, Forfeit, and Pay the Sum of Forty Shillings of lawful English Money. And it is hereby also further Enacted and Ordain'd, That for the better putting in Execution the Laws and Statutes of this Realm, a good and sufficient Whipping Post, and also a good and sufficient pair of Stocks, at or before the said First Day of *August* shall be made, provided, and set up (if not already done) in some convenient and publick Place in every respective Ward within this City; and shall be from time to time kept in good and sufficient Repair, at the Costs and Charges of the severall and respective Wards of this City.

And

And it is hereby further Enacted and Ordain'd by the Authority aforesaid, That all and every the Forfeitures, Penalties, Sum, and Sums of Money so Forfeited, and to be paid by Force and Virtue of this present Act, as aforesaid, shall and may be Sued for, and Recovered by Action or Actions of Debt, to be brought and prosecuted in the Names of the Chamberlain of this City, for the time being, in any of Their Majesties Courts of Record within this City, where Actions of Debt may be brought; and that the Sum and Sums so recovered (the Costs of such Suits being first deducted) shall be disposed of as followeth, *Viz.* One Moiety to the use of the Mayor and Commonalty and Citizens of this City, and the other Moiety to him or them that will first Discover and Sue for the same, according to the ancient Custom of this City in that behalf.

Provided always nevertheless, That this present Act or any Thing therein contained, shall not extend to or be construed or taken to hinder or prevent any Maker or Makers of any Stuffs, Silks, Wares, or Goods whatsoever, from carrying, or causing to be carried abroad, any such Goods by him or them so made, to Sell or expose to Sale to any the Inhabitants, Freemen of this City, or the Liberties thereof, exercising the Trade of Selling, and uttering by Retail or Wholesale such respective Goods and Wares, who shall or may Buy the same to Sell again, any thing in this present Act contained to the contrary thereof, in any wise notwithstanding.

And whereas, also divers good Acts have been heretofore made, and are still in force, to prevent the irregular and disorderly Selling or exposing to Sale out of the lawful Markets, Fish, Fruits, Roots, Herbs, and Plants, under severe Penalties; therefore it is hereby Declared and Provided, That no new or further Penalty Imposed by this present Act, shall extend to any Person or Persons Inhabiting in this City or the Liberties thereof, for selling or exposing to Sale any of the said Goods, or to Prohibit any Person or Persons from buying any of the same.

What Alterations may happen before the Passing, by the various Interests or Opinions in Common-Council, shall be duly Noted and Advised of.

The City and Countrey press so hard on our Promise in April last, for an Account of all these Affairs following, That we could not stay any longer, tho' this BILL is ready to pass into an ACT, as above.

Whosoever shall know of any Money Forfeited by wilful Breach of this BILL or ACT (when Passed) and will not themselves Prosecute, are desired but to send the needful Particulars in a Letter to Mr. Holt and Company, and all due Care will be taken thereof.

An ABSTRACT of the CASE of the Cities, Corporations, and Market-Towns of England; of the present Act of the Common-Council of London; of the late BILL in Parliament; of the Present Laws against Pedlers, &c. with Plain Directions for putting the same in Execution. Abstracted from the various Writings, Prints, and Proceedings followed on that Occasion, thro' all kinds of Difficulties, with all Diligence and Faithfulness, for these Four Years last past; by which all known Objections are Answer'd, and Matters of Fact Attested at large. To, For, and By RICHARD HOLT and Company, who have been at the Whole and Continual Charge thereof, and now humbly Dedicate the same to all Persons, who are Generously Inclined, for the PUBLICK GOOD.

THE said Corporations, Markets, and Market-Towns (which are the Wombs of Trade) do encrease their Respective Trades and Values, according to the Incouragement they receive by Mutual Commerce; and that Commerce receives its Bounds and Improvement from such Regulations as our former Laws have aim'd at and intended, tho' some Difficulties have been found in putting the same in Execution; partly for want of a right Understanding by the Constables and other Officers, and Persons concerned, but most of all by Reason of the Charge and Trouble that attends the Prosecution of them, especially against Rogues and Vagabonds; most Persons imagining, that others enough will Contribute without them; and so every Bodies Business becomes no Bodies, and the whole Suffers.

For so it is by the present Irregularities of *Pedling* and *Hawking* by Foot and Horse-Packmen, and such Wandring and Unaccountable Persons, who pretend to sell by Retail or by Wholesale, That

I. They can neither themselves be duly Tax'd or made Serviceable to the Offices and Duties of the Publick; but on the contrary, they carry away the Straw, and leave others to make the Bricks without it.

II. They Undermine, Discourage and Ruin many Thousands of Honest, Lawful, Settled Traders and Manufacturers, and their numerous Families, by which

III. They cause great Impoverishment and Devastations in the said Markets and Towns, and consequently the Disimprovements and Downfal of the Rents and Profits both in, about, and near the same: For how can the Towns subsist to take off the Product of the Countrey, and receive back no Advantage by Trade from it?

IV. They are the occasion of Making, Vending, and Dispersing Uncustomed, Imperfect and Deceitful Wares, false News, secret Plots, and pernicious Books; and also,

of Deceiving, Abusing, and sometimes of Robbing and Destroying Their Majesties Good Subjects, and Corrupting their Servants.

V. Of the great hindrance of Their Majesties Revenue in their Taxes, Customs, Excise, and Postage of Letters, especially cross the Countreys, and of the safety of Families, and of the Peace and good Government of the whole Kingdom.

VI. Of the hindrance and discouragement of serving Apprenticeships, and thereby Exposing Youth, for want of lawful Callings, to great Hazards and Misfortunes, and but too often to untimely Ends.

VII. Of the preventing of good Neighbourhood and mutual Credit, and consequently the Consumption of Goods and Commodities of English Growth and Manufactures, by destroying the right and lawful Markets, and preventing Investments of Stocks in Goods, by proper and able Tradesmen.

VIII. Of the rendring useless both Merchants, Shop-keepers, Artificers, Ships of Burthen and Trade to Remote Parts, as is most clearly made out at large, and consequently thereby,

IX. Of making this most Noble and Potent Island, the which subsists chiefly by Trade, more weak, and the more obnoxious to the Power of France, and all the rest of its Enemies.

The deep sense of the Premises, hath caused many Applications and Petitions from all Parts of the Kingdom, to their respective Members, and to the Parliament for Redress. Whereupon when a former was lost, a new BILL to prevent the Decay of Trade in Cities, Corporations and Towns, was Elaborately Composed and Prosecuted by the Help and Favour of the Right Honourable the present Lord-Keeper, and some other Worthy Members: But because the Delays and Difficulties we met with, are unspeakable; We shall only say, That our BILL was at last thrown out by the Lords, to our great Loss and Disappointment. Yet, we hope, the longer their Honours and Lordships Consider of this Matter, the more Favourable they will be to us when another Opportunity shall offer to renew our humble Applications for the same Bill.

The Petitioners against the Bill were but only Six Linnen-Drapers, whose Petition was thus Entituled, Viz. The Humble Petition of several Linnen-Drapers and other Wholesale Dealers in and about the City of London, in behalf of themselves and others of the same Trades, who Pray'd to be heard, by the Committee, in what they had to offer against the Bill; which was a Clause they had prepar'd to get into our Bill, and in effect to Establish all Pedling and Hawking by Law; and this they will ever Attempt, on all Occasions which shall be offer'd, but after that, was then prevented, what Reasons they Alledged, was look'd upon by the Committee to be but very insignificant, and chiefly for Delay. They afterwards pursued the same Designs in the House; and we hear, that against the next Session of Parliament, they design to get into their own hands the Management of our BILL, that they may with less difficulty make it for their own Purpose. One of their Reasons in Print to the Lords, indeed was a strange one, especially from Shop-keepers, Viz. That if the Shop-keepers should be so much Indulged as to have their Bill Pass, then there would be none to follow any Laborious Employment; for then it was but for a Man to put his Son Apprentice to a Countrey Mercer, and he might be sure to get an Estate, and to live in all the Plenty, Ease, and Luxury imaginable.

After the loss of the Bill in Parliament, We did, by Advice of Council, get Collected, and plainly Abridged, all the former Statutes in force against Pedlers, &c. and Published the same, which now, with some Explanations and Directions, as we promised, are Re-printed as followeth. In the mean time, the Pedlers and Hawkers are by fit Arguments already Convinced, That the new Law we entreated for in Parliament, was more favourable to them than the old ones.

A Plain

A Plain Abridgment of several Statutes in force, which may be Effectually put in Execution against all Pedlers, Hawkers, and other Unlawful Traders; together with the Opinion of Learned Council touching the same.

B *Rafts and Pewter-Wares*, by being carried about and sold Clandestinely, were Made False and Deceitful; for Prevention whereof, it was Enacted by the 19 Hen. VII. Cap. 6. That no *Pewter* or *Brass-Wares* whatsoever, should be Sold or Changed by any Person using the Trade of *Pewterers* or *Brassers*, but only in open Fairs or Markets, or in their own Dwelling-Houses, on Forfeiture of Ten Pounds to the King for every Offence: *This Statute being found to be of great Benefit, was per 4 Hen. VIII. Cap. 7. again Confirm'd and Ordain'd to Endure for Ever.*

That whereas the Cities, Burroughs, Towns Corporate, and Market-Towns, did heretofore Flourish, and were highly serviceable to the Government, but were brought to great Decay, and were like to come to utter Ruin and Destruction; by Reason that Persons Dwelling out of the said Cities and Towns, came and took away the Relief or Subsistence of the said Cities and Towns, by selling their Wares there: For Remedy whereof, be it Enacted, &c. That no Person or Persons Dwelling any where out of any of the said Cities or Towns (the Liberties of the Two Universities only excepted) shall hereafter sell or cause to be sold by Retail, any Woollen or Linnen-Cloth (except of their own Making) or any Haberdashry, Grocery, or Mercery-Wares whatsoever, at or within any of the said Cities, Burroughs, Towns Corporate, or Market-Towns within this Realm (except it be in open Fairs) on pain to Forfeit and Lose for every time so Offending 6 s. 8 d. and the whole Wares to be sold, proffered or offered to be sold; the one Moiety of all which Forfeitures to be to the use of the King and Queen, and the other Half to him or them that shall Seize or Sue for the same in any of Their Majesties Courts of Record, by Plaint, Action of Debt, Information, or otherwise, wherein no Essoin, Protection, or Wager of Law shall be allowed, 1, 2 Philip and Mary, Cap. 7. So that,

If any Person whatsoever, Dwelling out of your Towns, comes into your Towns or Markets, and sets up a Stall, or walks or stands in the Street, or keeps a Room or Shop (which he Resides not at constantly;) if there he sells by Retail any of these sorts of Goods, *Viz.* Any kind of Woollen or Linnen-Cloth (except it be of his own Making) or any sort of Haberdashry, Grocery, or Mercery-Wares whatsoever, he doth Incur the Penalty of this Statute. Note, *That Exposing to Sale, is setting a Price, Hemming, Lying, or being carried about in a posture of selling, Hose or Haberdashry, or Mercery-Wares, and all dry Goods whatsoever, that are either worn or usually carried about a Man, are generally included in this Statute; and on Tryal may be so proved. The Goods, after you can prove any part thereof sold, are all the rest to be seized by any Person whatsoever, that will prosecute and recover the 6 s. 8 d. a time for every such Offence; to do which, he must (with or without a Warrant) take a Constable and seize, and let the Goods be wrapp'd and seal'd up, and left in the hands of the Constable, to be produced at the Tryal, that those were the very Goods which were some part sold out, and the rest expos'd to sale, as above, in such a place; and that the seller dwelt in such other place, or at least not in that Town or Parish where part of the Goods were so sold. If the Offender brings his Action, you may Plead the said Statute.*

And be it also further Enacted, That all *Tinkers, Pedlers, and Petty Chapmen* Wandering abroad, &c. shall be Taken, Judged, and Deemed Rogues and Vagabonds, and shall Sustain all Punishment, as by this Act is appointed, *viz.* That every such Person as shall be found Begging, Vagrant, or Wandring in any part of this Realm, or the Dominion

minion of *Wales*, shall upon their Apprehension by any Justice of the Peace, or Constable, or Headburrough, or Tithing-Man of the same Countrey, Hundred, Tithing, or Parish where such Persons shall be taken (the Tithing-Man or Headburrough being Assisted therein with the Advice of the Minister and some one other of that Parish) shall cause the Offender to be stripped Naked from the Middle upwards, and to be openly Whipped until his or her Body be Bloody; and shall be forthwith sent, by a Testimonial, from Parish to Parish by the Officer of every the same, the next way to the Parish where he or she was Born or last Dwelt; and for want of one of those Places being known, then to the Parish thro' which he or she last passed without Punishment, there to abide and behave him, or her self as a good Subject ought to do; And if the said Person do not accordingly, then to be again taken and Whipped in every Place, so often as Default shall be found in him or her, contrary to the Form of this Statute; The Minister shall Register the Substance of the Testimonial in a Parish-Book for that purpose, upon pain to Forfeit Five Shillings for every Default. 39 Eliz. 4.

It is a Trader Wandring abroad, who either hath no lawful and settled Habitation, or else doth Wander from it to sell, or expose any Wares to sale, that makes or describes a Pedler or Petty-Chapman, as appears by the Exception for Glas-Men, who might then wander by Licence; but that Clause being since repealed, by 1 Jac. I. Cap. 7. Note therefore, That now all Licences for Pedling or Hawking, are against Law: The Pedlers are either Horse or Foot, greater or smaller; the Law has made no Distinction between them, but if they Wander Abroad, or about from one place to another, or are taken Wandring, whether nearer their Habitations (if they have any) or further off from it, they are Obnoxious alike: And tho' they have (for want of due Prosecution) grown much bigger since this Law was made, yet on Tryal they will find the Law still too big for them; and it is as much the Duty of every Constable and other Officer, to cause the Horse-Pedlers to be Whipped as the Foot-Pedlers or Petty-Chapmen; for the greater the Pedler, the greater the Offender, and the more Mischief to the Publick: And it is a vulgar Error, That a Pedler may Travel about so far as he may return home at Night, or that he may so Wander about because he is a House-keeper. No, every such Wandring Person must be taken up in any Place where he can be found Wandring, by a Justice or by a Constable, or by any other Officer, as the Statute doth Direct, with a Warrant or without a Warrant; nay, tho' there be neither Justice or Constable present: If he appear to be such a Wanderer, he must forthwith, viz. On his Apprehension be Dealt with and Punished by the Headburrough or Tithing-Man, and forthwith pass'd away as the Statute doth direct: If the Constable, or other Officer cannot cause the Law to be Executed by Commanding some Inferiour Officer, or other Person to do it, he must do it himself, and so as the Statute Directs; or he incurs not only the Penalty of 10 s. by this Statute, and 20 s. by 14 Car. II. Cap. 12. but breaks his Oath as a Constable.

Yet it was by this Act Provided, That Glas-Men that Wandered by Licence, from two Justices of the Peace, were excepted and permitted to Travel: But it was soon found, thereupon, That so many Notorious Rogues took upon them to Exercise the Trade of Glas-Men, and did Wander and Travel about divers Countreys, and commit many petty Felonies, for which Reason, 1 Jac. I. Cap. 7. That Clause was Repealed. And all Persons Wandring up and down to sell Glasses, are again to be Adjudged and Taken as Rogues and Vagabonds, and to be Punished accordingly, as by the Act of 39 Eliz. Cap. 4.

This Statute of 1 Jac. I. Cap. 7. most plainly shews the meaning of the other, viz. Who are to be Deem'd and Punished as Rogues and Vagabonds; and that by Pedlers and Petty-Chapmen are mean'd Traders, and such as Carry and Wander about with Goods to sell; and that those very Men (without Distinction) are to be Deemed and Punished as Rogues and Vagabonds; otherwise how came the Glas-Men to be Concerned: And if some of those Pedlers are so willful that they will not be reclaim'd from such a Disorderly course

course of Life, let them see what follows in the next Paragraph, besides some other very Severe Statutes not here mentioned.

Provided further, That if any such Person shall appear to be Dangerous, or such as will not be Reformed, then it may be Lawful for any Two Justices of the Peace of that Limit (one to be of the *Quorum*) to Commit him to the House of Correction or the Goal of the County, till the next Sessions, where the Justices may Lawfully Banish him out of this Realm; and if he returns back without Licence, he is to suffer as a Felon, 39 Eliz. 4.

If in any Town, Parish, or Village, the Constable, Headborough, or Tithing-Man, do neglect to do his or their Duty, touching the Execution hereof, he shall Forfeit and Lose 10 s. for every Omission, and by 14 Car. II. Cap. 12. he shall Forfeit 20 s. And if any Person doth Lett or Disturb the Execution hereof, he shall Forfeit 5 l. to the use of the City or Town, to be Levied by the Justices Warrant, and shall be bound to the good Behaviour, 39 Eliz. Cap. 4.

If you see a Pedler, &c. you are to stay him, and call and send for a Constable or other Officer; and if any of them Refuse or Neglect to come and do his Duty; or if any Person doth Lett or hinder them, then on your Complaint to the Justice, he will grant you his Warrant to Levy the Forfeiture by Distress on the Parties Goods, which are to be Appraised and Sold, and the Overplus, all Charges Deducted, is to be Restor'd to the Owner.

Provided always, That if there be any Justice or Justices of the Peace for the said Cities, Burroughs, or Towns Corporate, that no other Justice or Justices of the Peace shall intermeddle with the Execution of any Branch of this Act, for any Offence or Matter arising within the Liberties of such Cities or Towns Corporate, but the Justice or Justices for the same, with the Mayor, Bailiffs, and other Head-Officers, may proceed within their Liberties to the Execution of this Act, with as full Power as the Justices in any County may do within the same, 39 Eliz. 4.

And be it further Enacted by, &c. That hereafter, &c. It shall not be Lawful to any Person or Persons, other than such as now do lawfully Use or Exercise any Art, Mystery, or Manual-Occupation, to set Up, Occupy, Use, or Exercise any Art, Craft, Mystery, or Occupation now Used or Occupied within the Realm of England or Wales, except he or she shall have been brought up therein an Apprentice for Seven Years, at the least; and that every Person Offending or doing the Contrary, shall Forfeit and Lose for every Default 40 s. per Month, half to the Queen, and half to the Person that will Sue for the same; in which no Protection, Wager of Law, or Escoint shall be Allowed; and the Mayor or other Head-Officers of Cities or Towns Corporate, shall have full power to Hear and Determine the same, and make Process, and Award Execution. *vide Statute*, 5 Eliz. 4.

This Statute doth extend to Merchants; (as by a foregoing Clause in the same Act) and therefore to all Traders, and to all Places whatsoever within this Kingdom.

Whereas great Inconveniencies do happen for want of due Execution of the Laws that have been made against Rogues and Vagabonds; and because Constables and Others may be at great Charge in Prosecuting the said Laws: Therefore, the said Constables and other Officers to out of Purse, together with the Church-Wardens of any Parish, have power to make a moderate Rate, and Tax all Occupiers of Land, and all other Inhabitants or Persons Chargeable; and lawfully may Distrain for the same to reimburse themselves, *ut per Stat.* 14 Car. II. Cap. 13.

Observe

Observe how strictly all Persons are obliged to Contribute for and towards the Charge of putting these Statutes in Execution.

If a Constable or other Officer or Prosecutor carries a Rogue or Vagabond before a Justice of the Peace, the said Justice is to Authorize him or them to receive 2 s. from the Officers of any other Parish thro' which the Offender last passed, without Punishment, and so for every Rogue, *ut per Stat. 14 Car. II. 12.*

By these Words, If, &c. It's also plain, That a Constable or other Officer may Prosecute or Punish such Offenders, without carrying them before a Justice; and where the Offence is plain, it is not reasonable to give the Justice so much trouble, when the Law hath not enjoy'd it; nor can the Favour of a Justice Acquit the Constable from his Forfeiture, if the Offender escapes unpunished.

The Manner of a TESTIMONIAL.

THIS may Certifie all whom it may Concern, That A. B. P. being here found hath been Whipped, according to the Statute, and is to be sent, forward, forthwith from Parish to Parish by the Officers of every the same, the next way to where he last
Hands and Seals this Day of 169 Given under our

To be Signed by the Justice, or Constable, or Headburrrough, and Tithing-Man.

And also, The Prosecutors Charge is to be paid out of the 20 s. Forfeiture of the Neglecting Officers, *ut per Stat. 14 Car. II. 12.*

As it is in the Power of the City of London, by Vertue of their Charter, to make for themselves Acts for the Re-inforcement of the Statute-Laws, and to make any reasonable By-Laws (not contrary to the Statute-Laws) for the better Regulation and Improvement of their Trade and Good Government; so it is generally in the Power of all other Cities, Burroughs, and Towns Corporate throughout England and Wales (if they chose Good Magistrates) to do the same by Vertue of their Charters: London hath now done it by the Precedent Act of Common-Council. when Passed*

* 8 Part Cook's Rep. fol. 121.
Case of London, 7 Jac. I. 5 Part
ditto, fol. 64. Clark's Case fol. 64.
38 Eliz. Hubert's Rep. fol. 210. Nor-
ris against Staps at Newbury, 14 Jac. I.

And what Occasion there is for others to follow their Example, they Themselves Respectively are the best Judges, especially whilst they see that the Law without Execution, is but a dead Letter.

Therefore being Desired by several Corporations, Companies, and Traders in London and elsewhere; we shall give some short Account of the Methods of Proceeding in and about London, upon our former Statutes.

At a General Sessions of the Peace held by the Justices at Hicks's-Hall in the County of Middlesex, was made the following Order, Viz.

WHEREAS this Court is Informed, That great Numbers of Scotch and other Pedlars and Petty Chapmen, do Wander Abroad up and down this City and County, contrary to Law; We do hereby Recommend it to the Respective Justices of the Peace of this County, to take Effectual Care to put the Laws in Execution against the said Pedlars and Petty Chapmen; And all the Constables and Tithing-Men in their Respective Precincts are required, so often as they shall find any of the said Offenders, immediately to Whip them, in such manner as the Statutes of 39 Eliz. Cap. 4. and the 1 Jac. Cap. 7. Directs, and in Default whereof, the Penalties of the said Statutes are hereby Appointed to be Levied upon them.

The

The present Lord Mayor, Recorder, and other Justices within this City, and the present Recorder, and other Justices for Westminster, Middlesex, Surry, Kent, and Essex, without the City, have Issued out their Warrants, strictly Commanding all Constables, &c. at their Perils, from time to time, and as often as they shall be thereunto Required, and as often as they shall see or have Notice of any Pedlers, Hawkers, and Petty Chapmen Wandring about, to Apprehend them, and every of them, to the end, they may be Dealt with according to Law.

And accordingly, several such Offenders have been both formerly and of late Whipped in and about London, and divers other parts of this Kingdom; also, some of the greater and richer sort of them have been, and now are Prosecuted at Law, where they use Chargeable Shifts to Defend Themselves and their Party, but if followed, are generally Convicted to be Rogues and Vagabonds, as by that Famous President Recorded in Roll's Second Reports, fol. 172. Viz. The King against Hollingsworth, who Dwell'd at Branford, and Wandered about to Sell Wares at Hackney and other places, was upon a very notable Trial, after many Evasions, Convicted upon the Statute of 39 Eliz. Cap. 4. &c. as by the said Reports doth at large appear.

Several Companies and Citizens met together, divers times, in February last, and Considered and Agreed what Courses to take for Redress, and in due time the following Petition was Prepared, Viz.

To the Right Honourable the Lord Mayor, Aldermen, and Commons in Common-Council Assembled.

The Humble Petition of the Shop-keepers and Inhabitants of the City of London, and the Liberties thereof

Sheweth,

THAT whereas your Petitioners, being Freemen of this City, do bear Offices, pay great Rents and Taxes, and Cheertully Assist in the Support of the Government on all Occasions; and do generally Subsist by their Respective Trades, and are content to abide in their own Stations, and Exercise their said Trades in such manner as the Laws and Customs of this City doth permit; yet so it is, nevertheless, That for want of due Execution of the several good Laws heretofore Provided for their Relief; the Course whereof hath since been Obstructed, by Reason of an Illegal Patent obtained from King James II. That therefore your Petitioners, in most places within this City and the Liberties thereof, are so Discouraged, and Undermined, and Abused in their Respective Trades, by the Insolent and Unlawful Practices and daily Increase of *Pedlers, Hawkers, and Petty Chapfols*, such as Wander about from place to place, and carry and proffer to Sale all kinds of such Goods and Wares as your Petitioners Deal in; so that great part of the good Citizens and Settled Inhabitants of this City will not be able to pay their Rents, Taxes, and other Charges Incumbent; and Themselves and their Families will soon fall into inevitable Decay and Ruin, if not timely prevented.

Therefore, the Petitioners do humbly pray, That now the Charter being Restored, so the antient Customs and present Laws of this City and Kingdom, may by an Act of Common-Council be re-inforced and put in Execution against Pedlers, Hawkers, Petty Chapmen, and all other Unlawful Traders, in such manner as in your Grave Wisdom may be thought most Effectual.

And Your Petitioners shall ever Pray, &c.

Sign'd by about One Hundred very Eminent Citizens, and Presented.

The

The Petition being Read, a Committee of Four Aldermen and Eight Commoners were appointed to prepare and bring in a BILL pursuant to the Prayer of the Petition.

Which in due time was accordingly done, and then Read the First, and afterwards a Second Time, and Committed to the said Committee, with the Addition of more Aldermen and Commoners to the former; who, after very many Meetings and Deliberate Advice with divers Eminent Council, the said Committee gave in their Report to this Effect, Viz.

To the Right Honourable the Lord Mayor, Aldermen, and Commons in Common-Council Assembled.

WE, whose Names are here under-written, have in Obedience to an Order of this Honourable Court, made the 12th Day of April last, Met several times, and Considered the Petition of the Shop-keepers and Traders of this City, for Suppressing of Pedlers, Hawkers, and Petty Chapmen, which we find to be a very great Prejudice to most of the Traders of this City, and tends very much to the Weakening and Impoverishing the same.

Therefore in pursuance of the said Order (having) Advis'd with, and had the Opinions of divers Learned Council, we have well Considered the *BILL* hereunto Annexed, for the more Effectual putting the Laws in Execution against all such Offenders; which said *BILL* we humbly Present to this Court, Desiring (if it shall be thought fit) that the same may be Passed into *An Act of Common-Council*: All which we humbly Submit to the Grave Wisdom of this Honourable Court.

The Council with whom the Committee did Advise, touching the said BILL, were principally these, viz. They had, first of all, in some Essential Parts of the BILL, the Opinion of Sir George Treby, late Recorder of the City of London, Attorney-General, and now Lord Chief Justice of the Common-Pleas; The present Attorney-General Sir Edward Ward; Sir Bartholomew Shower; Sir Salathiel Lovell the present Recorder; Sir Francis Pemberton; Mr. Common Sergeant; and others of the City-Council.

Then a Common-Council being called, the BILL (and the Report) being Presented and Read the Third Time in Court, after some Amendments, the same was Passed into an ACT.

Several Corporations, Companies, and Traders in London and elsewhere, have for the general Good of the Publick, Authorized and Desired Richard Holt, Citizen and Merchant of London, and Company, at his House in Bishopsgate-Street, near Cornhill; from time to time to procure Advice, and all Assistance Lawful and Necessary, for and towards putting the above-mentioned Laws in Execution, and to Answer all Letters touching the same; in whose hands there will be some Overplus of Money, which is to be Employed to Reimburse and Defend all Officers and other Prosecutors of the said Laws, in all Places where they have Subscribed towards the late general Charge thereof.

A LIST of the Pedler's Friends in London, will be seen in due time.

LONDON: Printed and are to be sold by Brab. Aylmer at the Three Pidgeons in Cornhill, over against the Exchange; William Miller at the Achorn in St. Paul's Church-Yard; and William Rogers at the Sun in Fleet-Street, over against St. Dunstan's Church; and by several other Booksellers. 1693.

Whosoever wisheth well to this Matter is desired to write Post to y^e Effect following Viz^t
E 64
7-7-94
I promise to pay to Rich^d Holt or his Ord^r for & towards y^e charge by him Mentioned
shillings every Quart^r for one year beginning at Midsum^r 1693-